



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

July 30, 1988

Mr. Jason C. Marshall
Nichols, Jackson, Dillard, Hager
& Smith, L.L.P.
1800 Lincoln Plaza
500 North Akard
Dallas, Texas 75201

OR98-1796

Dear Mr. Marshall:

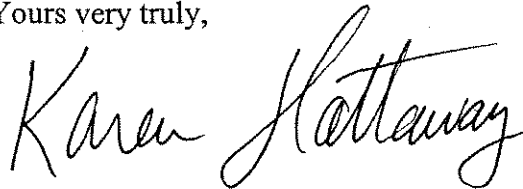
You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 117383.

The Coppell Police Department (the "department") received two open records requests for, among other things, the job shift to which each department employee is assigned and the year, make, model, and license plate number of "unmarked" police vehicles that are used by the department for undercover investigative work. You contend that these categories of information are excepted from required public disclosure pursuant to section 552.108(b)(1) of the Government Code.

Section 552.108(b)(1) of the Government Code excepts from required public disclosure "[a]n internal record or notation of a law enforcement agency or prosecutor that is maintained for internal use in matters relating to law enforcement or prosecution . . . if . . . release of the internal record or notation would interfere with law enforcement or prosecution." We have reviewed your arguments for withholding the information at issue and conclude that you have established how the release of the requested information pertaining to undercover vehicles would interfere with law enforcement. You may, therefore, withhold the information pertaining to undercover vehicles from disclosure under section 552.108(b)(1). You have not, however, demonstrated how the release of information pertaining to department employees' shift assignments would interfere with law enforcement. Because you have not met your burden of establishing the applicability of section 552.108 to this information, the department may not withhold such information from the requestor.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink that reads "Karen Hattaway". The signature is written in a cursive, flowing style.

Karen E. Hattaway
Assistant Attorney General
Open Records Division

KEH/RWP/mjc

Ref.: ID# 117383

Enclosures: Submitted records

cc: Mr. Arthur Kwast
P.O. Box 1397
Coppell, Texas 75019-1397
(w/o enclosures)